

REMARKS/ARGUMENTS

Claims 1, 3-6, 8-16, and 18-23 are pending in this application. Claims 1, 6, 13, and 16 are independent. Claims 16 and 18-20 are indicated as allowed. Claims 1 and 13 are hereby amended. Claims 6, 8-12, and 22 are hereby canceled without prejudice to or disclaimer of the subject matter recited therein.

The courtesies extended to Applicant's representative by Examiner Tan during the telephonic interview held on May 4, 2010, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicant's record of the interview.

As discussed during the interview, independent claims 1 and 13 have been amended to recite language similar to that recited in allowable claim 16. As agreed during the interview, Applicant respectfully submits that claims 1 and 13 are now allowable.

As set forth in M.P.E.P. § 714.12, entry of this Amendment is proper under 37 CFR 1.116 since the Amendment places this application in condition for allowance (for the reasons discussed herein); does not raise any new issues requiring further search and/or consideration (because the amendments amplify issues previously discussed throughout the prosecution); satisfies a requirement of form asserted in the previous Office Action; does not present any additional claims; and places the application in better form for appeal, should an appeal be necessary. Thus, Applicant respectfully requests entry of this Amendment.

OBJECTIONS TO THE SPECIFICATION

In section 2 on page 2, the Office Action objects to previously added paragraph 36, lines 5-11 as allegedly adding new matter. While Applicant respectfully disagrees that these lines constitute new subject matter, in the interest of further prosecution, the specification is hereby amended to remove these lines. Accordingly, Applicant respectfully requests the withdrawal of the objection to the specification.

REJECTIONS UNDER 35 U.S.C. § 101

In section 5 on page 3, the Office Action rejects claims 6, 8-12, and 22 under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. While Applicant respectfully disagrees with this rejection, in the interest of furthering prosecution, claims 6, 8-12, and 22 are hereby canceled without prejudice to or disclaimer of the subject matter contained therein. Accordingly, Applicant respectfully requests the withdrawal of the rejection under 35 U.S.C. § 101.

REJECTIONS UNDER 35 U.S.C. § 102

In section 6, on pages 3-9, the Office Action rejects claims 1, 3-5, 13-15, 21, and 23 under 35 U.S.C. § 102(e) as allegedly being unpatentable over U.S. Patent Number 7,315,985 to Gauvin, et al. (hereinafter, "Gauvin"). As agreed upon at the interview, independent claims 1 and 13 would be allowable if amended to use language similar to that used in allowable claim 16. Applicant hereby amends claims 1 and 13 accordingly. Applicant respectfully submits that claims 1 and 13 are now allowable over the references of record.

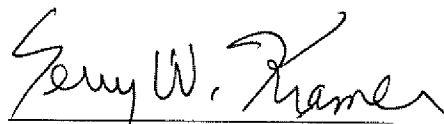
Claims 3-5 and 21 depend from allowable claim 1; claims 14, 15, and 23 depend from allowable claim 13. Therefore, claims 3-5, 14, 15, 21, and 23 are allowable base, at least, on their respective dependencies. Accordingly, Applicant respectfully requests the withdrawal of the rejection of claims 1, 3-5, 13-15, 21, and 23 under 25 U.S.C. § 102 and the allowance of all pending claims.

CONCLUSION

While we believe that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner telephone the undersigned attorney in order to expeditiously resolve any outstanding issues.

In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account.

Respectfully submitted,
KRAMER & AMADO, P.C.



Terry W. Kramer
Registration No.: 41,541

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KRAMER & AMADO, P.C.
1725 Duke Street, Suite 240
Alexandria, VA 22314
Phone: 703-519-9801
Fax: 703-519-9802